

**TOWN OF SOUTHEAST**  
1360 Route 22  
Brewster, New York 10509  
Thursday, April 9, 2020  
**WORK SESSION/REGULAR MEETING 7:00 P.M.**

**NOTICE OF TOWN BOARD MEETING AND AGENDA**

**Please Note:** This meeting will take place by videoconferencing and it will be recorded. It will be posted on the Town's Website [southeast-ny.gov](http://southeast-ny.gov) and a transcript of the meeting will be posted within thirty (30) days of the meeting.

If you have any questions that you would like to address with Town Board during this meeting, please e-mail your questions to [thay@southeast-ny.gov](mailto:thay@southeast-ny.gov) before 6:00 P.M. the day of the meeting and the Board will respond to your inquiry at the end of the meeting during "public comment."

**To join the meeting:**



1. **If you have not used Zoom before:** Please download the free app prior to the meeting so you are ready when the meeting starts:

<https://zoom.us/download>

2. Join from your computer, tablet or smartphone click the following link:

<https://zoom.us/j/708017592?pwd=SjlsRGd1eTVta3NXak5GajJkaUc4UT09>



*When prompted, please provide your full name.*

**OR**



3. You can also dial in by using your phone:

***Call-in number:*** 1-929-436-2866

***Meeting ID:*** 708 017 592

***Meeting Password:*** 072743

**For Additional Zoom FAQs and tutorials:**

<https://support.zoom.us/hc/en-us/categories/200101697-Getting-Started>

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Thursday, April 9, 2020  
WORK SESSION/REGULAR MEETING 7:00 P.M.**

**Pledge of Allegiance  
Notation of Exits**

**Work Session:**

1. Discussion – N/A

**Regular Meeting:**

1. Resolution – 577 North Main Street – Special Permit
2. Resolution – Resolution – Local Law – Amend Chapters 123, 138 and A143, Section 123-3 – Policy, Section 123-6 – Definitions, etc. (Curbing)
3. Motion – Set Public Hearing – Special Permit – Classic M&J Properties – 4 Sodom Lane

**Public Comment – Comments submitted prior to 6:00 P.M., Thursday 04/09/20  
Recognition of Town Board/Town Board Comment**

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

**SPECIAL PERMIT REQUEST  
577 NORTH MAIN LLC**

RESOLUTION NO. \_\_\_\_\_ / 2020

DATE: April 9, 2020

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, 577 NORTH MAIN LLC, owner of premises located at 577 North Main Street, Tax Map No. 56.19-1-40.2, (the “Subject Premises”) has made application to this Town Board for a Special Permit to allow a portion to be used for “kennel” purposes; and

**WHEREAS**, the Subject Premises are located in an ED zone; and

**WHEREAS**, kennel uses are only permitted in an ED zone upon the grant of a Special Permit by the Town Board; and

**WHEREAS**, the owner of the Subject Premises has indicated its intention to lease a portion of the Subject Premises to a tenant that proposes to utilize such space as a canine training and boarding facility which would include an outdoor, fenced-in area for a “run” and outdoor exercise / training area; and

**WHEREAS**, the Town Board is in receipt of a report and recommendation from the Southeast Planning Board dated February 24, 2020 wherein the Planning Board has recommended the grant of the Special Permit and has found that the proposal of 577 NORTH MAIN LLC is in general compliance with the applicable general standards of Article X of Chapter 138 of the Town Code; and

**WHEREAS**, the Planning Board, as Lead Agency for purposes of State Environmental Quality Review Act (“SEQRA”) and has adopted a Negative Declaration indicating that the project is not likely to adversely affect the environment; and

**WHEREAS**, a duly noticed public hearing was held by the Town Board on March 19, 2019, which hearing was held open for an additional ten (10) to allow submission of written comments in connection with this application, and all interested parties have been given an adequate opportunity to be heard in this regard,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Southeast hereby makes the following findings of fact in connection with the instant application:

1. The proposed use is in such location and is a size and character that it will be in harmony with the appropriate and orderly development of the surrounding district and will not be detrimental to the immediate site or adjacent properties;

2. The location and size of the proposed use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout, and its relation to access streets will be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous;

3. The exterior appearance of the building will not hinder or discourage the development and use of adjacent land and buildings; and

4. The proposed use will not require such additional public facilities or services or create fiscal burdens upon the Town greater than those which characterize uses permitted as of right.

#### **AND BE IT FURTHER**

**RESOLVED**, that based upon the foregoing findings, the Town Board of the Town of Southeast hereby GRANTS a Special Use Permit to allow the portion of the Subject Premises to be used as a canine training and boarding facility (kennel), on the following conditions:

1. The applicant and its tenant shall operate the facility in compliance with all general conditions set forth in Article X of the Zoning Code and all special conditions as set forth in section 138-57 of the Zoning Code;

2. The canine training and boarding use shall occur solely within the areas designated on the site plans and statement of use submitted in connection with this application and shall be limited to the square foot occupancy as set forth therein;

3. There number of canines harbored on the Subject Premises at any given time shall not exceed forty, provided that this number may be modified downward if it is subsequently determined that the demised premises and location cannot accommodate a population of this size;

4. The applicant shall ensure that there is sufficient insulation installed between the demised premises and adjoining tenancies to provide adequate sound deadening between occupancies;

5. The hours of public operation of the training and kennel facility shall be between the hours of 8 o'clock AM to 8 o'clock PM only on any given day; provided, however, that there shall be human supervision on site 24 hours a day, 365 days a year; and

6. No dogs shall be permitted in outdoor runs before 8 o'clock AM or after dark or 8 o'clock PM, whichever comes earlier. Any outdoor exercising or training before or after these hours shall be done "on leash" and under the supervision of a handler.

And be it further

**RESOLVED**, that the Town Clerk is hereby authorized and directed to forward a certified copy of this resolution to 577 NORTH MAIN LLC, the owner of record of the Subject Premises; to the Secretary of the Town of Southeast Planning Board; and to the Southeast Building Department, forthwith.

**UPON A ROLL CALL VOTE:**

Councilman Alvarez \_\_\_\_\_  
Councilwoman Eckardt \_\_\_\_\_  
Councilman Larca \_\_\_\_\_  
Councilman Lord \_\_\_\_\_  
Supervisor Hay \_\_\_\_\_

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

**TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK     )  
                                      : ss.:  
COUNTY OF PUTNAM     )

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 9<sup>th</sup> day of April, 2020.

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MICHELE STANCATI  
Town Clerk

**TOWN BOARD  
TOWN OF SOUTHEAST, NEW YORK**

**RESOLUTION ADOPTING LOCAL LAW #4 of 2020**

RESOLUTION NO. \_\_\_\_\_/2020

DATE: April 9, 2020

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

**WHEREAS**, a resolution having been adopted by the Town Board of the Town of Southeast for a public hearing to be held by said Town Board to hear all interested parties on a proposed local law which would amend Chapters 123, 138, Appendix 143, Section 123-3 and Section 123-6 of the Town Code to define and require the inclusion of curb ramps for pedestrians on all new sidewalks where same intersect with driveways, intersections and crosswalks within the Town.; and

**WHEREAS**, notice of said public hearing was advertised in an official newspaper of the Town of Southeast in the manner prescribed by law, such public hearing was held on March 19, 2020 and all interested persons were given an opportunity to be heard at that time; and

**WHEREAS**, it is the sense of this Town Board that the proposed local law will help promote the general health, safety and welfare of the public.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town Board of the Town of Southeast hereby adopts Local Law No. 4 of 2020 pursuant to the Municipal Home Rule Law to Chapters 123, 138, Appendix 143, Section 123-3 and Section 123-6 of the Code of the Town of Southeast to define and require the inclusion of curb ramps for pedestrians on all new sidewalks where same intersect with driveways, intersections and crosswalks within the Town; and be it further

**RESOLVED**, that the Town Clerk be and hereby is authorized and directed to (a) enter said Local Law in the minutes of this meeting and in the Code Book of the Town of Southeast; and (b) give due notice of the adoption of said local law by filing such with the Secretary of State of New York within the time required by law.

**UPON A ROLL CALL VOTE:**

Councilman Alvarez \_\_\_\_\_  
Councilman Larca \_\_\_\_\_  
Councilman Lord \_\_\_\_\_  
Councilman O'Connor \_\_\_\_\_  
Supervisor Hay \_\_\_\_\_

VOTE: carried / defeated by a vote of \_\_\_\_\_ in favor, \_\_\_\_\_ against; \_\_\_\_\_ abstained.

**TOWN CLERK'S CERTIFICATION**

STATE OF NEW YORK     )  
                                      : ss.:  
COUNTY OF PUTNAM     )

I, MICHELE STANCATI, Town Clerk of the Town of Southeast, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Town Board of the Town of Southeast at a meeting of said board held the 9th day of April, 2020.

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MICHELE STANCATI  
Town Clerk